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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,288	06/24/2003	Pierre Albou	1948-4808	3252
27123	7590	10/01/2004	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			CHOI, JACOB Y	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 10/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/603,288

Applicant(s)

ALBOU, PIERRE

Examiner

Jacob Y Choi

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 08/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 08/08/2003 was considered by the examiner.

Claim Objections

2. Claim 1 is objected to because of the following informalities: phrase "the said" in claim 1 should be corrected to avoid redundancy. Appropriate correction is required.

Drawings

3. Figures 1 & 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, each arrangement is

produced in the form of a protuberance on the exit surface of the lens must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1, & 3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "arrangement " in claims 1 & 3 are a relative term, which renders the claim indefinite. The term " arrangement " is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The term "arrangement" has no meaning in context of the claim & there is no structure that is/are limiting the "arrangement".

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-4 & 9-13 are rejected under 35 U.S.C. 102(b) & 35 U.S.C. 102 (e) as being anticipated by either Lindae et al. (USPAN 4,796,171) or Uchida (USPN 6,416,210).

Regarding claim 1, either Lindae et al. or Uchida discloses a reflector (10 or 14), a light source (11 or 12) producing a set of light signals which can be reflected by the reflector, an exit lens (15 or 18), comprising an entry surface and an exit surface, for producing a light beam, and a shield (13 or 22) disposed between the reflector and the exit lens in order to produce a cutoff in the light beam produced, wherein the exit lens comprises a set of arrangements (figures 2, 4, 6-8 or 18s) produced in at least one side part of the exit surface of the lens, each arrangement being able to divert in a given direction a part of the light signals encountering this arrangement, the arrangement being produced on the side parts of the exit surface of the exit lens.

Note: claims in a pending application should be given their broadest reasonable interpretation. *In re Pearson*, 181 USPQ 641 (CCPA 1974).

Regarding claim 2, either Lindae et al. or Uchida discloses the diversion direction are directions situated above the cutoff.

Regarding claim 3, either Lindae et al. or Uchida discloses each arrangement is able to divert some of the light signals encountering this arrangement in a direction corresponding to a gantry point.

Regarding claim 4, either Lindae et al. or Uchida discloses each arrangement is produced in the form of a protuberance on the exit surface of the lens.

Note: Protuberance - something, such as a bulge, knob, or swelling, that protrudes.

Regarding claim 9, either Lindae et al. or Uchida discloses the exit lens comprises several arrangements able to divert some of the light signals in the same given direction.

Regarding claim 10, either Lindae et al. or Uchida discloses each arrangements produced in the exit surface of the exit lens has an end situated at the periphery of the exit lens, or in the immediate vicinity of the periphery of the exit lens.

Regarding claim 11, either Lindae et al. or Uchida discloses the arrangements produced in the exit surface of the exit lens are disposed on the exit surface of the exit lens symmetrically with respect to a vertical axis of the exit lens.

Regarding claim 12, either Lindae et al. or Uchida discloses at least one of the arrangements is produced in the form of a serration.

Note: Serration - a series or set of teeth or notches

Regarding claim 13, either Lindae et al. or Uchida discloses an automobile equipped with a projection device.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Lindae et al. (USPAN 4,796,171) or Uchida (USPN 6,416,210).

Regarding claim 5, either Lindae et al. or Uchida discloses claimed invention, except the specific thickness. It would have been obvious to one having ordinary skill in the art at the time the invention was made to specify thickness of the arrangement/protuberance, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233.

Regarding claims 6-8, either Lindae et al. or Uchida discloses claimed invention except for the specific number of arrangements or the location. It would have been obvious to one having ordinary skill in the art at the time the invention was made to duplicate number of arrangements on the lens, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Also, It would have been obvious to one having ordinary skill in the art at the time the invention was made to relocate the arrangements on the lens, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lindae et al. (USPN 5,014,173) – low beam or fog headlamp for motor vehicles

Mamoru Maruyama et al. (USPN 3,266,016) – outside signal for automobiles

Kawaguchi et al. (USPN 6,152,589) – lamp

Segoshi et al. (USPN 5,169,224) – discharge head lamp assembly

Blusseau et al. (USPN 6,155,702) – elliptical headlamp with enlarged illuminating area

Murakoshi et al. (USPN 6,210,028) – vehicular headlamp having synthetic resin lens with reduced discoloration and cracking from ultraviolet radiation

Godbillon et al. (USPN 6,340,239) – indicator light with uniform illuminating surface for a motor vehicle

Shie et al. (USPN 6,352,359) – vehicle light assembly including a diffuser surface structure

Tamai (USPN 6,543,923) – vehicle lamp

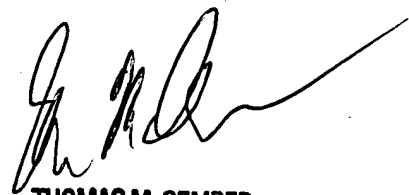
Yang (USPN 6,698,912) – haloed vehicle light

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y Choi whose telephone number is (571) 272-2367. The examiner can normally be reached on Monday-Friday (10:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC



THOMAS M. SEMBER
PRIMARY EXAMINER